

GARY A. BORNSTEIN (*pro hac vice*)
gbornstein@cravath.com
YONATAN EVEN (*pro hac vice*)
yeven@cravath.com
LAUREN A. MOSKOWITZ (*pro hac vice*)
lmoskowitz@cravath.com
JUSTIN C. CLARKE (*pro hac vice*)
jcclarke@cravath.com
MICHAEL J. ZAKEN (*pro hac vice*)
mzaken@cravath.com
M. BRENT BYARS (*pro hac vice*)
mbyars@cravath.com
CRAVATH, SWAINE & MOORE LLP
375 Ninth Avenue
New York, New York 10001
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

PAUL J. RIEHLE (SBN 115199)
paul.riehle@faegredrinker.com
FAEGRE DRINKER BIDDLE & REATH LLP
Four Embarcadero Center
San Francisco, California 94111
Telephone: (415) 591-7500
Facsimile: (415) 591-7510

*Attorneys for Plaintiff and Counter-defendant
Epic Games, Inc.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-defendant,

v.

APPLE INC.,

Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR-TSH

**PLAINTIFF'S ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED PURSUANT TO
CIVIL LOCAL RULE 79-5**

Judge: Hon. Thomas S. Hixson

PLAINTIFF'S ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER PARTY'S
MATERIAL SHOULD BE SEALED

CASE No. 4:20-CV-05640-YGR-TSH

Pursuant to Civil Local Rules 7-11 and 79-5(f), Plaintiff Epic Games, Inc. (“Epic”) submits this administrative motion to consider whether another party’s material should be sealed with respect to the Objections to Certain Special Master Determinations Issued February 14, 2025, Regarding Apple’s Re-Reviewed Documents, the Declaration of Yonatan Even (“Even Declaration”) and Exhibit A, all dated February 19, 2025. The document Epic seeks to temporarily file under seal is listed below:

| Document | Corresponding Page and Line Number(s) |
|-----------------------------------|---------------------------------------|
| Exhibit A to the Even Declaration | Document in its entirety. |

Epic seeks leave to provisionally file the document under seal because it discusses materials that Apple has designated confidential under the protective order in this case. *See* Local Rule 79-5(f). Epic reserves the right to oppose, under Rule 79-5(f)(4), any submission Apple makes to support sealing under Rule 79-5(f)(3). Epic also hereby provides notice of lodging to all parties and their counsel pursuant to Civil Local Rule 79-5(f).

1 Dated: February 19, 2025

Respectfully submitted,

2 By: /s/ Yonatan Even

3 **FAEGRE DRINKER BIDDLE & REATH**
4 **LLP**

5 Paul J. Riehle (SBN 115199)
6 paul.riehle@faegredrinker.com

7 Four Embarcadero Center
8 San Francisco, California 94111
9 Telephone: (415) 591-7500
Facsimile: (415) 591-7510

10 **CRAVATH, SWAINE & MOORE LLP**

11 Gary A. Bornstein (*pro hac vice*)
12 gbornstein@cravath.com
Yonatan Even (*pro hac vice*)
yeven@cravath.com
13 Lauren A. Moskowitz (*pro hac vice*)
lmoskowitz@cravath.com
14 Justin C. Clarke (*pro hac vice*)
jcclarke@cravath.com
15 Michael J. Zaken (*pro hac vice*)
mzaken@cravath.com
16 M. Brent Byars (*pro hac vice*)
mbyars@cravath.com

17
18 375 Ninth Avenue
New York, New York 10001
19 Telephone: (212) 474-1000
20 Facsimile: (212) 474-3700

21 *Attorneys for Plaintiff and Counter-defendant*
22 *Epic Games, Inc.*